



THE SECRETARY-GENERAL

ICTY  
LOLA

28 February 2008

Dear Judge Kinis,

I have the pleasure to inform you that, in accordance with Article 13 *ter*, paragraph 2, of the Statute of the International Tribunal for the former Yugoslavia (the "International Tribunal"), I have decided, upon the request of the President of the International Tribunal, to appoint you, effective 3 March 2008, to serve in the International Tribunal for the trial of the *Prosecutor v. Ante Gotovina et al* (Case No. IT-06-90) which is scheduled to commence on 10 March 2008 and expected to be completed within one and a half years.

I should recall that, in accordance with paragraph 1 (a) of Article 13 *quater* of the Statute of the International Tribunal, *ad litem* Judges shall, during any period in which they are appointed to serve in the Tribunal, benefit from the same terms and conditions of service, *mutatis mutandis*, as the permanent Judges of the International Tribunal. Pursuant to paragraph 3 of Article 13 *bis* of the Statute of the International Tribunal, the terms and conditions of service of permanent Judges are those of the Judges of the International Court of Justice.

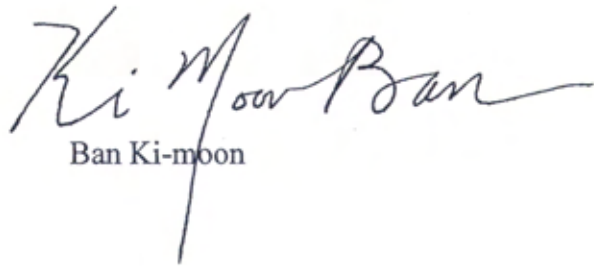
During such time as they may be appointed to serve in the Trial Chambers of the International Tribunal for specific trials, *ad litem* Judges are accordingly required to serve on a full-time basis and may not, during that time, exercise any political or administrative function or engage in any other occupation of a professional nature.

Judge Uldis Kinis  
International Criminal Tribunal  
for the former Yugoslavia  
The Hague

28-02310

I should also take this opportunity to note that, as an *ad litem* Judge of the International Tribunal, you will be entitled only to the benefits stipulated in General Assembly resolution 55/249 of 12 April 2001 and in any subsequent relevant resolutions or decisions of the General Assembly. In accordance with General Assembly resolution 55/249, should the cumulative period of your service as an *ad litem* Judge of the International Tribunal amount to three years or more, that will not result in any change in your entitlements and benefits and, in particular, will not give rise to any additional entitlements or benefits other than those that already exist and which will, in such an eventuality, be extended pro-rata by virtue of the extension of service.

Please accept, Judge Kinis, the assurances of my highest consideration.

A handwritten signature in black ink, reading "Ki Moon Ban". The signature is fluid and cursive, with the first name "Ki" and last name "Ban" being more prominent than the middle name "Moon".

Ban Ki-moon



THE SECRETARY-GENERAL

28 February 2008

Dear Judge Gwaunza,

I have the pleasure to inform you that, in accordance with Article 13 *ter*, paragraph 2, of the Statute of the International Tribunal for the former Yugoslavia (the "International Tribunal"), I have decided, upon the request of the President of the International Tribunal, to appoint you, effective 3 March 2008, to serve in the International Tribunal for the trial of the *Prosecutor v. Ante Gotovina et al* (Case No. IT-06-90) which is scheduled to commence on 10 March 2008 and expected to be completed within one and a half years.

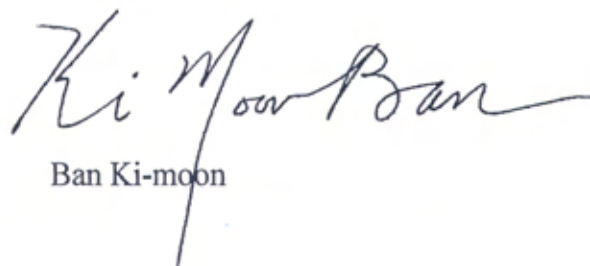
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During such time as they may be appointed to serve in the Trial Chambers of the International Tribunal for specific trials, *ad litem* Judges are accordingly required to serve on a full-time basis and may not, during that time, exercise any political or administrative function or engage in any other occupation of a professional nature.

Judge Elizabeth Gwaunza  
International Criminal Tribunal  
for the former Yugoslavia  
The Hague

I should also take this opportunity to note that, as an *ad litem* Judge of the International Tribunal, you will be entitled only to the benefits stipulated in General Assembly resolution 55/249 of 12 April 2001 and in any subsequent relevant resolutions or decisions of the General Assembly. In accordance with General Assembly resolution 55/249, should the cumulative period of your service as an *ad litem* Judge of the International Tribunal amount to three years or more, that will not result in any change in your entitlements and benefits and, in particular, will not give rise to any additional entitlements or benefits other than those that already exist and which will, in such an eventuality, be extended pro-rata by virtue of the extension of service.

Please accept, Judge Gwaunza, the assurances of my highest consideration.

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Ban Ki-moon



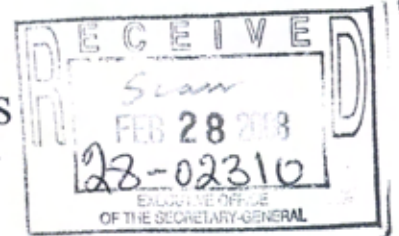
United Nations



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INTEROFFICE MEMORANDUM

MEMORANDUM INTERIEUR



DATE: 28 February 2008

TO: The Secretary-General

A:

THROUGH: Vijay Nambiar  
S/C DE: Chef de Cabinet

REFERENCE:

ACTION LK (w/enclos.)  
COPY v n

FROM: Mr. Nicolas Michel *N. Michel*  
DE: Under Secretary-General for Legal Affairs

SUBJECT: **Appointment of ad litem judges to a trial before the ICTY**  
OBJET:

1. Judge Fausto Pocar, President of the ICTY, has requested, in his letter to you dated 15 February 2008, that you appoint *ad litem* judges to a trial before the ICTY. Please find the request attached. *28-01731*

2. Unfortunately, two of the letters of appointment that were submitted to you for signature attached to my Memorandum of 21 February 2008 inadvertently appointed Judge Uldis Kinis and Judge Elizabeth Gwaunza to the wrong trial. *28-02062* Corrected versions of the letters of appointment are now attached appointing Judge Kinis and Judge Gwaunza to the *Prosecutor v. Ante Gotovina et al* trial.

3. As set out in my Memorandum of 21 February 2008, it is our view that the present request complies with Article 13 *ter*, paragraph 2, of the ICTY's Statute and that you may therefore properly proceed to appoint Judge Uldis Kinis and Judge Elizabeth Gwaunza to serve in the ICTY for the trial concerned. Although this appointment will take the total number of *ad litem* judges above the maximum of twelve provided for in Article 12, paragraph 1 of the Statute, Security Council resolution 1800 (2008) of 20 February 2008 authorizes such appointment.

4. President Pocar has asked that Judge Kinis's and Judge Gwaunza's appointments be made effective on 3 March 2008. The present request is, therefore, a matter of urgency.

*Mr. Nambiar  
please authorize Oscar  
Thank you  
Flanade  
28 Feb 08*

*N. Michel*